Welcome to the Trumpian ICE Age

By Sheldon Richman
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Welcome to the Trumpian ICE Age, a vivid lesson in the frigidity of collectivism. Take note, New York City Mayor Zohran Mamdani. Compared to Trump, you're a piker.

We've got a problem, and it's not just Houston's. It's the lawless, authoritarian, liberty-flouting Trump, who on all fronts grasps at maximum power—constitutional and statutory limits be damned. The fronts, so far, include immigration, drug prohibition, trade, corporate ownership, and everyday matters like oil prices, credit-card interest, pharmaceutical prices, and home sales. Trump is also eyeing medical insurance. Heaven help us. The guy doesn't have a pro-market sinew in his body. (For his "progressive" inclinations, see this.)

Most concerning of all is immigration, in which poorly recruited and poorly trained agents of ICE (Immigration and Customs Enforcement) conduct a reign of terror in a few selected "blue" cities, with more to come. Of course, the latest atrocity, as of this writing, took place in Minneapolis last week, where Renee Nicole Good, a 37-year-old mother of three, was executed —there's no other word—for failing to show respect to armed and masked ICE agents, *cheerfully* starting to drive away from an ICE checkpoint, where random people were being stopped for "immigration checks." The killer violated ICE's own guidelines in at least two respects: he walked (obviously without fear) in front of Good's car, and he fired at her merely for leaving. Her last words, spoken softly and with a smile, as she began to drive away slowly, were, "I'm not mad at you guys."

“At a very minimum, that woman was very, very disrespectful to law enforcement,” Trump said, characteristically, after ICE man Jonathan Ross fired three shots, in under a second, into her car at close range. (Check the video for yourself.) Before that, Trump and his henchman (VP J.D. Vance) and henchwoman (Homeland Security chief Kristi Noem) had called Good a "domestic terrorist" and a "high-level agitator." The government later said Ross suffered internal bleeding and a bruise, supposedly from being bumped by Good's vehicle, but the video provides good reason to doubt that story. Trump and his people's reputation for veracity is negative. However one views the killing, we can be certain that it would not have happened had it not been for Trump's demagogic crusade to deport millions of people, the vast majority of whom live and work peacefully, because they lack government papers.

This used to be America. With Trump doubling down, we're likely to see more brutal and deadly confrontations ultimately instigated by heavily armed ICE agents whom you would not want in your neighborhood.

Before the horrendous killing, Radley Balko, the veteran chronicler of police misconduct, was already stunned by what he had seen in recent months: "unchecked and unreviewable executive power; crass imperialism; a feverish, 1980s-era approach to illicit drugs (Trump has

frequently said that drug dealers should be executed); and xenophobic bigotry, particularly toward the developing world."

From his December *New Republic* article on the outrageous manhandling of immigrants and citizen protesters, "Trump's Immigration Nightmare: It *Is* Happening Here," I present some of his observations. (The article contains links galore to back up his assertions.)

"With astonishing speed, Balko writes, "the administration has toppled the most cherished pillars of a free society." That's a dramatic statement. Can he back it up? You judge:

> Masked secret police now tear-gas entire city streets, jump out from unmarked vehicles to abduct and detain suspected undocumented people, and demand that foreign-looking people (mostly Latino) produce papers on demand. These deportation forces have been told by the president and his advisers to cast a wide net, that immigrants are "animals," that the activists defending them are "domestic terrorists," and that the officers themselves have "immunity" from any form of accountability. Meanwhile, administration lawyers have brazenly lied to federal judges to supplement those deportation forces by deploying U.S. troops to the streets of American cities—seeking to break this country's healthy antipathy toward domestic use of the military policing that dates back to the founding.

Does it take a libertarian point out that this is alarming? I hope not.

> We've seen rapid normalization of abuses we once associated with authoritarian regimes or the old Iron Curtain countries. It's now routine for masked, unidentifiable government agents to sweep people off the street and whisk them away in unmarked vehicles. Some of those arrested have been quickly shuttled off to detention facilities in other parts of the country without any notification to their families or attorneys. Others have been sent to a third country, often a country in the developing world to which they have no connection. Still others have been explicitly targeted for their political opinions, their activism, or their journalism.

Not bad enough? Balko quotes Reneé Hall, president of the National Organization of Black Law Enforcement Executives: "We're back to letting police target people because of their skin color. We're letting them kidnap people and take them to undisclosed locations. They're barging into homes with no warrant. We saw them zip-tie young Black children—U.S. citizens—in Chicago. We've seen them use unnecessary force, slam people on the concrete."

"The administration has since been caught brazenly lying to federal courts to justify Trump's military interventions," Balko writes. "In Portland, Oregon, a Trump-appointed Federal District Court judge wrote that Trump and the DOJ's [Department of Justice] claims that the city was 'war ravaged' and 'under siege' were "simply untethered to the facts.,,, [A federal judge in Chicago] chided the administration for its 'lack of candor,' which, she wrote, 'calls into question their ability to accurately assess the facts,' and noted a 'troubling trend' of DOJ officials 'equating protests with riots.'"

Invoking American history, Balko points out that the "norm against using troops for routine law enforcement is one of America's most important contributions to democratic governance. It's a principle we came by honestly, from firsthand experience," namely, from the many abuses of Americans' liberty at the hands of the British king. "[His] soldiers were armed with general warrants that gave them carte blanche to force their way into homes in search of contraband. The abuse of those powers sowed anger and ignited revolutionary fervor."

Are all ostensible fans of the American Revolution outraged by what's going on? Sadly not.

We must fear that things will get worse before they get better (assuming they do). Trump is determined to accelerate his crackdown and has threatened to invoke the Insurrection Act in Minnesota. This sets the stage for more clashes between residents and federal agents. Balko: "We ... know from surveillance and cell phone videos that agents have arrested and charged people with assault either on little evidence or for defending themselves when assaulted by police. Add to this prospect the fact that holding federal agents accountable for their misconduct is difficult, if not impossible. Balko explains why.

> The immunity problem pervades the chain of command from top to bottom. Thanks to a spate of Supreme Court rulings from the case that all but killed *Bivens,* to rulings protecting political appointees for policy decisions, to the Supreme Court's infamous ruling on presidential immunity, everyone is protected, from the Border Patrol officer who abandons a baby in the back seat of a car after detaining his immigrant parents (as happened in a suburb of Chicago) to the Border Patrol commander who tear-gasses elementary schools, to the president who says immigrants are "poisoning the blood of the country."

Moreover, "Trump's immigration agents are ... specifically targeting journalists who report on their actions...," writes Balko. "In June, the administration arrested an immigrant journalist in Georgia who had been reporting on immigration raids. At his deportation hearing, DOJ lawyers explicitly argued that his journalism was a threat to public safety. He has since been deported." Journalism is a threat? In Trumpworld, apparently.

Like immigrants, American citizens are not safe.

> ProPublica published a report documenting 170 cases in which immigration officers had detained U.S. citizens. The publication found 130 cases in which U.S. citizens had been arrested for allegedly interfering with immigration operations or assaulting officers but were often never charged. It found over 20 cases in which U.S. citizens were held for more than a day without being permitted to contact an attorney or their families. "Americans have been dragged, tackled, beaten, tased and shot by immigration agents," the publication wrote. "They've had their necks kneeled on. They've been held outside in the rain while in their underwear. At least three citizens were pregnant when agents detained them.

ICE is deadly. "As of this writing, 23 people have died this year in ICE custody. That's the most since 2005, and more than the previous three years combined," Balko writes. "The

conditions faced by those in custody are only likely to get worse as deportation efforts continue to ramp up. At the same time, the administration has hollowed out the offices within DHS and DOJ that oversee detention facilities."

He concludes on a scary note:

> [I]t isn't difficult to envision how an administration with so little regard for law, human life, and due process might make the leap to think it can also carry out extrajudicial executions inside the United States, particularly one run by a president who equates criticism of him with treason, likens immigrants to vermin, and calls his opponents "the enemy within." This, after all, is an administration already trying to legally define peaceful protesters and their supporters as "terrorists," the same term it uses to justify those extrajudicial killings.

Meanwhile, Trump—without a sense of irony—has warned the Iranian regime not to harm protesters.

By the way, Trump and his gang have repeatedly said that ICE is scooping up "the worst of the worst" for deportation. Don't believe it. According to David Bier of the Cato Institute, only "5% of people detained by ICE have violent convictions, 73% no convictions."

Libertarians, like other civilized people, will be duly appalled. Right?

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